

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Robert Pack,

Complainant,

vs.

California-American Water Company
(U210W),

Defendant.

Case 14-03-018
(Filed March 24, 2014)

ORDER EXTENDING STATUTORY DEADLINE

Summary

This decision extends the statutory deadline in this proceeding to September 24, 2015.

Background

Public Utilities Code Section 1701.2(e) provides that adjudicatory cases shall be resolved within 12 months of the date that they are initiated unless the Commission makes findings as to why that deadline cannot be met and issues an order extending that deadline. The 12-month deadline for resolution of this case is March 24, 2015.

On March 24, 2014, Robert Pack filed a complaint against California-American Water Company. This complaint was filed pursuant to California Public Utilities Code Section 1702 and Article IV of the Rules of Practice and Procedure (Rules) of the California Public Utilities Commission (Commission).

Complainant alleges overcharges by defendant since 1998 and seeks \$15,299.79, plus interest, plus additional costs of \$400.00.

The filed complaint shows complainant had not first tried to resolve this matter informally with staff of the Commission's Consumer Affairs Branch (CAB). Complaints such as this may be referred to CAB staff for informal resolution. (Rule 4.2(c).) On March 27, 2014, this complaint was referred to CAB staff. Attempts for informal resolution, however, were unsuccessful.

As a result, on November 14, 2014, the Commission served defendant with instructions to answer the complaint. On December 15, 2014, defendant filed and served its answer. On February 26, 2015, after conferring with the assigned Administrative Law Judge (ALJ), parties agreed to use the Commission's mediation service before proceeding with hearings and/or briefs.

Discussion

A six-month extension of the statutory deadline until September 24, 2015, is necessary. This extension is needed in order to provide time for parties to seek a mediated outcome. It is also needed, if the mediation is unsuccessful, to provide the Commission with time to consider whether further evidence and briefing are necessary, as well as to deliberate and issue its final decision.

Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, pursuant to this rule, the otherwise applicable period for public review and comment is waived.

Assignment of Proceeding

Michael Picker is the assigned Commissioner and Gary Weatherford is the assigned ALJ in this proceeding.

Findings of Fact

1. The 12-month deadline for resolving this complaint case is March 24, 2015.
2. An extension of time until September 24, 2015, is necessary for parties to have time to seek a mediated outcome and, if that is unsuccessful, for the Commission to have time to consider whether any further evidence and briefing are necessary, as well as to deliberate and issue its final decision.

Conclusions of Law

1. The statutory deadline imposed by Public Utilities Code Section 1701.2(e) should be extended until September 24, 2015.
2. This order should be effective immediately.

IT IS ORDERED that the statutory deadline in this proceeding is extended until September 24, 2015.

This order is effective today.

Dated _____, at San Francisco, California.